
(2010) 06 SHI CK 0001
In the High Court Of Himachal Pradesh
Case No : C.W.P. No. 2894 of 2010

Jai Lal Harjait and Others

APPELLANT

Vs

State of H.P. and Another

RESPONDENT

Date of Decision : 21-06-2010

Acts Referred:

Citation : (2010) 06 SHI CK 0001

Hon'ble Judges : Kurian Joseph, C.J;Kuldip Singh, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—Writ petition has been filed with the following prayers:

(i) To issue a writ of certiorari or direction in nature thereof, quashing the impugned order 31.12.2008 Annexure P-5 of the writ petition, to the extent to regularizes the services of the Petitioner from 1.8.2006 instead of regularizing the services of the Petitioners from 1.1.2009 i.e. on completion of 8 years of service as impugned action is unconstitutional and illegal and contrary to the law;

(ii) To issue a writ of mandamus, appropriate writ, order or direction in nature thereof, directing the Respondents to regularize the Petitioner from due dates, i.e. on completion of 8 years of service with all the consequential benefits and pay the arrears for the said period to the Petitioners alongwith interest thereon @ 18% p.a.

2. According to the Petitioner as per policy he is entitled to regularization on the date of completion of eight years. As per the policy it is also pointed out that the persons similarly situated like the Petitioner who rendered 8 years of service in terms of the policy have been regularized, as can be seen from Annexures P-5, P-6, P-7, P-8 etc. In case similarly situated incumbents as referred above have been regularized, the Petitioner cannot be discriminated. We direct the first Respondent to look into the matter and take appropriate action, as observed above. This shall be done within a period of two months from the date of production of copy of the judgment alongwith copy of the writ petition. The writ

petition stands disposed of so also the pending applications, if any.